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Attorneys for Plaintiff
Russell Road Food and Beverage, LLC

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

SOUTHERN DIVISION

RUSSELL ROAD FOOD AND
BEVERAGE, LLC,

Plaintiff,

vs.

MIKE GALAM, et al.
Defendants.

MIKE GALAM, et al.,

Counterclaimants,

vs.

RUSSELL ROAD FOOD AND
BEVERAGE, LLC, et al.

Counterdefendant.

Case No. 2:13-cv-00776-RFB-NJK

**STIPULATED PERMANENT INJUNCTION
AND [PROPOSED] ORDER BETWEEN
PLAINTIFF RUSSELL ROAD FOOD AND
BEVERAGE, LLC AND ALL
DEFENDANTS**

Case Filed: May 2, 2013

Judge: Honorable Richard F. Boulware

Pursuant to Local Rule 6-2 of the District of Nevada's Local Rules of Practice, Plaintiff Russell Road Food and Beverage, LLC ("Russell Road") and Defendants Mike Galam, Victor Galam, Jacqueline Galam Barnes, Crazy Horse Too Gentlemen's Club LLC, Rhino Bare Projects LLC, Rhino Bare Projects 4824 LLC, Canico Capital Group, LLC, Industrial Road 2440-2497, LLC, Abraham Assil, George Eshaghian, West Best Capital Group, LLC, SN & GE, LLC, Soleiman Nazarian, Djavid Hakakian, Morris Nejathaim, Hamed Yazdanpanah, Isaac Javdanfar, Kamran Samoocha, Mehran Sadighpour, Sefox Investement, LLC, El Marino, LLC, Knotting Hill, LLC, IJ Properties, LLC, and S Double, LLC ("Defendants") (hereinafter "Enjoined Defendants") hereby stipulate and agree to the entry of a permanent injunction as set forth below.

THE COURT HEREBY FINDS THAT

1. Russell Road prevailed on the merits of its trademark infringement claim against Canico Capital Group, LLC, Industrial Road 2440-2497, LLC, Crazy Horse Too Gentlemen's Club LLC, Rhino Bare Projects LLC, Rhino Bare Projects 4824 LLC, Mike Galam, Victor Galam, and Jacqueline Galam Barnes. ECF No. 375. All remaining Defendants are or have been in the past associated and/or affiliated, whether directly or indirectly, in some manner with Canico Capital Group, LLC, such that injunctive relief against the remaining Defendants is appropriate.

2. Russell Road has shown that it has suffered and is likely to continue to suffer irreparable harm in the absence of a permanent injunction. Russell Road has made a strong showing of irreparable harm through its submission of evidence that in the absence of a permanent injunction (i) substantial actual confusion has already occurred in the market; (ii) it has suffered, and will continue to suffer, intangible harm to the goodwill of its CRAZY HORSE III mark, (iii) it will be unable to control and maintain the reputation and perception of its CRAZY HORSE III mark, (iv) it will be unable to obtain a reasonable return on its investment of millions of dollars into its CRAZY HORSE III mark; and/or (v) its CRAZY HORSE III mark will be tarnished by being associated with the negative reputation of the former Crazy Horse Too club.

1 3. The balance of equities tips in Russell Road's favor. Russell Road has
2 invested a substantial amount of money into its mark and created substantial goodwill
3 and consumer recognition in its CRAZY HORSE III mark. In contrast, a permanent
4 injunction will not harm the Enjoined Defendants because it only requires the Enjoined
5 Defendants to comply with the law.

6 4. A permanent injunction serves the public interest because it prevents
7 confusion in the market. Here, Russell Road has prevailed on the merits of its trademark
8 claim and, thus, established a likelihood of confusion. Moreover, actual confusion has
9 already occurred.

10 **THEREFORE, IT IS HEREBY ORDERED THAT**

11 1. Pursuant to 15 U.S.C. § 1116 and Federal Rule of Civil Procedure 65, this
12 Permanent Injunction Order binds (i) the Enjoined Defendants; (ii) the Enjoined
13 Defendants' officers, agents, servants, employees, and attorneys; and (iii) all other
14 persons who are in active concert or participation with the Enjoined Defendants or the
15 Enjoined Defendants' officers, agents, servants, employees, and attorneys (collectively
16 referred to as "The Enjoined Parties").

17 2. The Enjoined Parties are hereby enjoined from any and all use of (i) the
18 CRAZY HORSE TOO, CRAZY HORSE TOO SALOON, and CRAZY HORSE
19 trademarks and names (alone or in combination with other letters, words, or designs), (ii)
20 any trademarks incorporating the term CRAZY or HORSE or TOO (including designs
21 intended to depict the word CRAZY or HORSE or TOO), (iii) the former CRAZY HORSE
22 TOO design logos attached as Exhibit 1 hereto or any design or mark that incorporates
23 any part of those design logos, and (iv) any abbreviations of any of the foregoing marks
24 such as CH2, CH2LV, CHTOO, CHTOOLV ((i) through (iv) collectively the "**Infringing**
25 **CRAZY HORSE TOO Marks**") in connection with the advertising, promotion, operation,
26 or provision of a gentlemen's club or in connection with any business, goods, or services
27 in the adult entertainment industry in the State of Nevada, the United States, and
28 worldwide.

3. The Enjoined Parties, to the extent that they have the power and ability to do so are ordered to (i) permanently remove all billboards and signage featuring the Infringing CRAZY HORSE TOO Marks, to the extent such still exist; (ii) permanently remove or disable all websites that feature—whether in the domain name url or website itself—the Infringing CRAZY HORSE TOO Marks, to the extent such still exist; (iii) permanently remove or withdraw all other promotional materials featuring the Infringing CRAZY HORSE TOO Marks, to the extent such still exist; (iv) permanently remove or delete all social media accounts and social media pages that contain or feature the Infringing CRAZY HORSE TOO Marks (including use as usernames or hashtags or as content in social media messages or on social media pages), to the extent such still exist.

IT IS SO STIPULATED

Dated: February 1, 2019

Respectfully submitted,

TMW LAW

By /s/ Bruno Tarabichi
Bruno Tarabichi
Attorneys for Plaintiff
Russell Road Food and Beverage, LLC

Dated: February 1, 2019

Respectfully submitted,

AKERMAN LLP

By /s/ Ariel E. Stern
Ariel E. Stern
Attorneys for Defendants Canico Capital
Group, LLC, Industrial Road 2440-2497,
LLC, Abraham Assil, George Eshaghian,
West Best Capital Group, LLC, SN &
GE, LLC, and Soleiman Nazarian

1 Dated: February 1, 2019

Respectfully submitted,

2 THE LAW OFFICES OF WILLIAM H.
3 BROWN, LTD.

4
5 By /s/ William Brown

6 William Brown
7 Attorneys for Defendants Mike Galam,
8 Crazy Horse Too Gentlemen's Club LLC,
9 Victor Galam, Jaqueline Galam Barnes,
10 Rhino Bare Projects LLC, and Rhino
11 Bare Projects 4824 LLC

12 Dated: February 1, 2019

Respectfully submitted,

13 LEBEDEV, MICHAEL & HELMI

14
15 By /s/ Gennady L. Lebedev

16 Gennady L. Lebedev
17 Attorneys for Defendants Djauid
18 Hakakian, Morris Nejathaim, Hamed
19 Yazdanpanah, Isaac Javdanfar, Kamran
20 Samoooha, Mehran Sadighpour, Sefox
21 Investement, LLC, El Marino, LLC,
22 Knotting Hill, LLC, IJ Properties, LLC,
23 and S Double, LLC

24 IT IS SO ORDERED:

25 

26 HON. RICHARD F. BOULWARE
27 UNITED STATES DISTRICT JUDGE

28 DATED: February 14, 2019.